FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.2208 OF 2006

Ashok Appanna Pawar)..Applicant
V/s.
The State of Maharashtra)..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.Ajit Ram Pitale for the applicant.

Ms.S.V.Gajare APP for the State.

Coram : R.S.Mohite,J

Date : 21.7.2006.

PC

1. This is an application for grant of bail. The applicant is shown as an accused in C.R.No.I-123/2005 registered by the Dindori police station Dist.Nashik. The complaint is registered on the basis of FIR of one Sangeeta Bhosale who is the sister of the deceased Charbis Pawar. There are 2 eye witnesses to this crime i.e. Sangeeta and Surekha who is the wife of the deceased. In the FIR it is mentioned that the

present applicant is the husband of the cousin sister of Sangeeta by name Ashok Faktya Bhosale. The dispute was relating to business of herbs conducted by the deceased. The medical evidence indicates 3 incised wounds and corroborates the version given by the Complainant. It is sought to be argued that the present applicant is not Ashok Bhosale but is Ashok Pawar. It is seen that police have recorded the supplimentary statement of both the eye witnesses on 25.11.2005 referring to the present applicant as Ashok Faktya Bhosale @ Ashok Appanna Pawar. Apart from that the present applicant was immediately arrested after the crime on 4.10.2005 and on 10.10.2005 knife was recovered at his instance and C.A.report indicates that the same has ‘B’ blood group which is the same blood group of the deceased. It was sought to be argued that the

blood group of the accused was also found to be ‘B’. It is not possible to suggest that he had caused injuries to himself. Therefore, this argument has no substance. In my view, assailant was the close family member of the 2 eye witnesses and therefore, there can be no reason to implicate him. In the circumstances, not a fit case for grant of bail. Rejected.

(R.S.Mohite,J)